

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ZOLTEK COMPANIES, INC.,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:04CV703-SNL
)	
ACCORDIS UK LIMITED and)	
SGL CARBON CORPORATION,)	
)	
Defendants.)	

ORDER

On May 20, 2005 the Court ordered plaintiff to show cause why this case should not be dismissed for failure to obtain service on either defendant. Return of service was filed showing service on defendant SGL Carbon Corporation on June 1, 2005.

After an extension of time was granted to respond, defendant SGL Carbon Corporation filed motion to dismiss June 30, 2005. That motion is now pending subject to a response by the plaintiff.

On July 5, 2005, plaintiff filed memorandum indicating that defendant Accordis UK Limited had not been served. Contemporaneous with the filing of the memorandum, plaintiff also filed suggestion of bankruptcy of Accordis UK Limited. The suggestion was that the bankruptcy occurred May 13, 2005 in Europe. There was nothing in the suggestion to indicate what country in Europe was involved, however, in plaintiff's memorandum it was suggested that "Zoltek will be required to retain representation in England to protect its interests in the above-captioned cause of action." The Court assumes, therefore, that the bankruptcy is pending in the English courts.

Although neither party has addressed the problem due to the recent notification, this Court

assumes that a bankruptcy filing in a court other than one in the United States is similar to the bankruptcy proceedings in the United States. The case, therefore, should be stayed pending the bankruptcy proceedings. A stay may not be necessary since such defendant has not been served. It is unknown whether the potential claim of plaintiff in this case is listed as a liability in the bankrupt defendant's schedules.

IT IS THEREFORE ORDERED that the parties shall show cause on or before August 1, 2005 why this case should not be dismissed as to defendant Accordis UK Limited or at least stayed as to such defendant only pending the bankruptcy.

Dated this 8th day of July, 2005.

A handwritten signature in dark ink, reading "Stephen T. Limbaugh". The signature is written in a cursive, flowing style. The first name "Stephen" is written with a large, prominent "S". The middle initial "T." is written in a smaller, more compact script. The last name "Limbaugh" is written with a large, prominent "L" and a long, sweeping "h" that extends to the right.

SENIOR UNITED STATES DISTRICT JUDGE